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"Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450"

on Janaury 26, 2004

Gerard J. McGowan, Jr.

Reg. No. 29, 412 Attorney for Applicant(s) January 26, 2004 Date of Signature

PATENT

UNUS #99-0334-UNI CASE #F3238(C)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:

Bakker et al.

SERIAL NO.:

09/577,306

FILED:

May 24, 2000

FOR:

Process and Apparatus for Production of a Frozen Food Product

GROUP:

1723

EXAMINER:

D. Sorkin

EDGEWATER, NEW JERSEY 07020

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

Assistant Commissioner for Patents Alexandria, VA 22313-1450

Sir:

Applicant(s) hereby appeals to the Board of Appeals from the decision dated July 24, 2003 of the Primary Examiner final rejection of claims 5-7, 15, 16 and 20-23

The item(s) check below are appropriate:

A timely response to the final Rejection has been filed.

An Extension of Time to respond to the Final Rejection was requested for three months. [X]

An Extension of Time to file a Notice of Appeal was granted for one month(s). []

Charge statutory fee of \$330.00 to Deposit Account No. 12-1155. Please charge any additional [X] fees or credit overpayment to Deposit Account No. 12-1155. This request is being submitted in triplicate.

02/04/2004 WABDELR1 00000004 121155 09577306

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330.00 DA

Gerard J. McGowan, Jr. Attorney for Applicant

Registration No. 29,412

/gjm 201-840-2297